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DOC #:

DATE FILED: AUG 28 2008

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August 5, 2008

BY ELECTRONIC MAIL

Hon. Paul A. Crotty  
 United States District Court  
 Southern District of New York  
 Daniel P. Moynihan U.S. Courthouse  
 500 Pearl Street, Suite 735  
 New York, New York 10007

Re: *T. Co. Metals LLC v. Dempsey Pipe & Supply Co.*, 07 CV 7747 (PAC); *Dempsey Pipe & Supply Co. v. T. Co. Metals LLC*, 07 CV 7749 (PAC) – Dempsey Request for Clarification

Dear Judge Crotty:

I write this letter to seek clarification of your Order today, and also to cure and apologize for my ~~violation~~ violation of Your Honor's individual practices.

As to the matter of clarification: Your Order today directs entry of judgment in Case 07 CV 7747, in which no judgment had previously been entered. However, while your Order today denied Dempsey's application made by letter on July 16, 2008 to include interest on the attorneys' fees portion of the Award, it does not clearly deal in a dispositive fashion with the motion made July 31 to amend the July 17 Judgment in Case 07 CV 7749. Should we consider that motion as denied, or that it remains *sub judice*, and that T. Co. should make known its position?

As to my violation of the Court's practices, I apologize again for having submitted a letter in e-mail rather than PDF format with a signature (assuming this was the violation). I had not intended to submit any letter, but at a time when I had no ability logically to prepare and send a signed letter in PDF format, and on the last day for filing the Rule 59(e) motion, I discovered that I was ethically bound to bring to the Court's attention controlling Second Circuit authority on the post-judgment interest point, *i.e.* the Carte Blanche case mentioned in my e-mail. I

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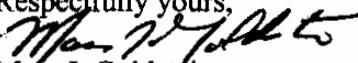
August 28, 2008  
 If the parties wish to submit  
 a joint motion or consent for a  
 net money judgment they may do so.  
 The Court adheres to its prior ruling on  
 interest on attorneys' fees. Post  
 judgment interest will be allowed  
 at the statutory rate. 28 USC  
 31961

*As requested*  
*Paul Goldstein*

Hon. Paul A. Crotty  
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submit an additional copy of my July 31 letter in PDF format with signature, as a remedy of the violation, and also annex copies of the motion papers with the required "Courtesy Copy" markings.

Respectfully yours,



Marc J. Goldstein

cc. Alfred J. Kuffler, Esq. (by E Mail)